

Congressman Nadler Leads Coalition Against Government-funded Religion

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WASHINGTON - Leading the most forceful show of Congressional opposition to date, Rep. Jerrold Nadler (D-NY) blasted current proposals to give taxpayer money to religious organizations, which could lead to government-funded discrimination and proselytization. He was joined by a broad coalition of Members of Congress as well as religious leaders opposed to the plan. It was the first major press conference on the issue this week, which will be filled with press conferences and hearings on a bill being moved in the House of Representatives, as well as a White House conference on Faith-Based Initiatives tomorrow.

Rep. Nadler had just completed hearings on so-called Charitable Choice programs in the Judiciary Committee's Subcommittee on the Constitution, of which he is the Ranking Democrat. These programs are the basis for the President's formation of an office on Faith-Based Initiatives.

"We are entering a very dangerous time," Rep. Nadler said. "The wall of separation between government and religion has protected individual liberty, including religious liberty, for over 200 years. But now, some want to ignore that protection, and thus, undermine our Constitution."

Rep. Nadler was critical of proposed programs that give taxpayer money to pervasively sectarian organizations, but said immediate attention needed to be focused on a bill before Congress that would facilitate a great expansion of Charitable Choice. That bill, co-sponsored by Reps. J.C. Watts (R-OK), and Tony Hall (D-OH) would lay the groundwork for a system of government-funded religion, which President Bush envisioned with the announcement of a new office in the White House on Faith-Based Initiatives. Rep. Nadler previously called for hearings in the Constitution Subcommittee on that bill, and reiterated his call today, with a new twist.

"I am hopeful that the Constitution Subcommittee will hold hearings on Watts-Hall," Rep. Nadler said. "However, should Chairman Chabot (R-OH) see no need to scrutinize this specific bill, which has been referred to our Subcommittee, I will lead an effort to exercise the right of the Minority to hold Minority- hearings under the rules. It is up to Chairman Chabot, but either way the Watts-Hall legislation will not escape Congressional scrutiny."

Currently, if a religious group wanted to be involved in charitable works using public funding, they needed to do it separately from their specifically religious activities. They are subject to anti-employment discrimination laws, and can not proselytize with government funds. Charitable Choice seeks to break down that wall. A close examination of these proposals indicates that they violate the spirit of the Religion Clauses of the Constitution, which read: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof..."

These are some of the Constitutional issues raised by the attempts to expand Charitable Choice as the President proposes, as well as the Watts-Hall bill:

- "No Jews, Muslims, or Buddhists Need Apply." Houses of worship are exempt from many anti-discrimination laws so that, for example, a Catholic Church does not have to employ a Rabbi to be its minister. According to Americans United for Separation of Church and State, "Under the President's proposal, churches will be legally able to discriminate despite receiving public dollars. A Bob Jones-style religious group, for example, will be able to receive tax aid to pay for a social service job, but still be free to hang up a sign that says 'Jews And Catholics Need Not Apply.'" It is one thing to allow autonomy in the practice of a religion. It is quite another thing to allow public funds, provided by all Americans, to be used in a discriminatory manner. There could be regulations put in place to prevent this, but would lead to regulation of religion, which also is Unconstitutional.

- Taxpayer Conversions? Under the Watts-Hall bill, in particular, proselytization will be allowed at taxpayer-funded faith-based charities. As long as the person preaching is paid with private funds, they are free to play an integral role in trying to convert those coming to the charity looking for food or help. In other words, taxpayer funds will be used to run programs that try to get those in need to come to that organization's faith.

- Are All Religions Created Equal? Many supporters of charitable choice have expressed reservations about certain religions receiving funding along with other, more mainstream, religions. That constitutes a government endorsement of religion, and is unconstitutional. Are proponents really ready to fund programs run by the Wiccans, the Church of Scientology, or the Nation of Islam? If not, how are they prepared to defend a law which distinguishes between "acceptable" and "unacceptable" religions?

- Other Issues... These Charitable Choice proposals would cause a host of other problems as well - from churches and synagogues competing with each other for limited government funds to possible government regulation of religions that take public money.

"I do not doubt the genuine intentions of the President, Mr. Watts, or Mr. Hall," said Rep. Nadler. "It is true that the religious community has played an active and important role in the delivery of social services for many years. The system is not broken, but the proposal they are presenting will only serve to change the rules of the game now and thereby undermine the fundamental liberties guaranteed to all of us in our Constitution."

Rep. Nadler has served in Congress since 1992. He represents the 8th Congressional District of New York, which includes parts of Manhattan and Brooklyn.

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